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REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1 and 3-10 were rejected under 35 U.S.C. §103(a) for allegedly being unpatentable over Bader in view of Tjernstrom. Applicants respectfully traverse.

Bader discloses, e.g., in Figure 1, a conically shaped guiding bore 30 in which an adjusting sleeve is guided by a conically shaped mantle surface. Bader does not disclose that the conical lateral surface changes to a cylindrical surface as claimed. This lack of disclosure is acknowledged by the Examiner.

The attachment of clamp 18A to the toolholder 10 via a screw 20A is described in column 3, lines 1-11 of Tjernstrom (see Figure 3). As the screw 20A is tightened, the two cones 27A and 28A slide onto one another, causing the clamp 18A to be drawn toward the screw 20A. In this manner the cutting index 11 is also drawn into its seat on the surface 17A.

In contrast, according to the application the cutting index rests against the plate-seat wall. In Tjernstrom, this plate-seat wall is comparable to the walls 17 and 16 (see Figure 2). The fine adjustment elements of the application subject matter form a plate-seat wall, whereby an adjustment bolt (30) having a lateral surface designed as a conical surface (32) forms the plate-seat wall.

Thus, Tjernstrom does not disclose a fine adjustment element which form a plate-seat wall. In fact, Tjernstrom does not disclose any fine adjustment elements at all.

Furthermore, the object of the application subject matter is to substantially improve, with regard to the precision of adjustment and the handling, a carrier tool for cutting indexes having fine adjustment elements. In Tjernstrom the object is as follows: (column 1, lines 34- 41):

"In view thereof, it is an object of the invention to provide a novel arrangement and method for clamping the insert in place in the pocket which will ensure that a clamp is acting on both the top surface and in the central hole wall of the insert in such a way that both downwardly and laterally acting clamp forces will keep the insert firmly and safely in place in its location without any tendency of coming apart from its underneath supporting surface."

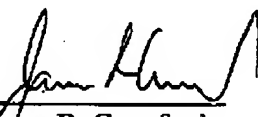
These respective objects differ such that one skilled in the art would not combine them for achieving the above-referenced object of the subject matter of the present invention, and there is no motivation to combine the references as alleged by the Examiner.

In view of the foregoing, allowance is believed proper and is urged.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0624, under Order No. NY-DNAG-299. A duplicate copy of this paper is enclosed.

Respectfully submitted

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